

**COMBINED DECLARATION AND POWER OF ATTORNEY  
IN ORIGINAL APPLICATION  
(CONCERNING A FILING UNDER 35 USC 371)**

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name,

I believe that I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled \_\_\_\_\_

METHOD FOR PRODUCING 1,2-DICHLOROETHANE BY DIRECT CHLORINATION

the specification of which

  X   is a filing under 35 USC 371 of PCT International Application No.  
        PCT/ EP03/01000   filed   01 February 2003  .  
         is attached hereto.  
         was filed on \_\_\_\_\_ as U.S. Application Number  
\_\_\_\_\_ and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56,

  X   and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent; and  
         if this is a continuation-in-part application, information that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application, in accordance with 37 CFR 1.63(e); and  
         in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-art applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>102 07 217.5</u>	<u>Germany</u>	<u>21 February 2002</u>	Priority Claimed	
(Number)	(Country)	(Day/Month/Year Filed)	<u>X</u>	
			Yes	No

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith with full power of substitution and revocation: Donald A. Schurr, Reg. No. 34,247; Phillip S. Oberlin, Reg. No. 19,066; D. Edward Dolgorukov, Reg. No. 26,266; Mark A. Hixon, Reg. No. 44,766; Stephen P. Evans, Reg. No. 47,281; and Stephen G. Kimmet, Reg. No. 52,488. Address all telephone calls to Mark A. Hixon at telephone number 419-249-7114. Address all correspondence to MARSHALL & MELHORN, LLC, Four Seagate - 8th Floor, Toledo, Ohio 43604, Attention: Mark A. Hixon.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor MICHAEL BENJE

Inventor's signature Michael Benje Date 15.9.04

Residence Barkhausstrasse 6, 64289 Darmstadt, Germany

Citizenship Germany Post Office Address Same as above

Full name of second joint inventor DIETER JACULI

Inventor's signature x Dieter Jaculi Date x 23.08.04

Residence Kastanienweg 5, 84508 Burgkirchen, Germany

Citizenship Germany Post Office Address Same as above

Full name of third joint inventor INGOLF MIELKE

Inventor's signature x Ingolf Mielke Date x 2.9.04

Residence Hochstaufenstrasse 16, 84508 Burgkirchen, Germany

Citizenship Germany Post Office Address Same as above

Full name of fourth joint inventor PETER SCHWARZMAIER

Inventor's signature x Peter Schwarzmaier Date x 11.08.04

Residence Billerstrasse 10, 84556 Kastl, Germany

Citizenship Germany Post Office Address Same as above

Full name of fifth joint inventor KLAUS KREJCI

Inventor's signature x Klaus Krejci Date x 11.08.04

Residence Marktler Strasse 40, 84489 Burghausen, Germany

Citizenship Germany Post Office Address Same as above

Full name of sixth joint inventor JOACHIM SCHUBERT

Inventor's signature *J. Schubert* Date *30.8.04*

Residence Lindacher Strasse 81, 84489 Burghausen, Germany

Citizenship Germany Post Office Address Same as above

Full name of seventh joint inventor HORST ERTL

Inventor's signature *Horst Ertl* Date *21/8/04*

Residence Eichenweg 20, 84568 Pleiskirchen, Germany

Citizenship Germany Post Office Address Same as above

## RECORDATION FORM COVER SHEET

Attorney Docket 1-16694

## PATENTS ONLY

Recordation Cover Sheet 1 of 2

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

## 1. Name of conveying party(ies)/Execution Date(s):

1. MICHAEL BENJE
2. DIETER JACULI
3. INGOLF MIELKE
4. PETER SCHWARZMAIER

Execution Date(s) 09/15/04; 08/23/04; 09/02/04; 08/11/04

Additional name(s) of conveying party(ies) attached? ☒ Yes ☐ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Government Interest Assignment
- ☐ Executive Order 9424, Confirmatory License
- ☐ Other \_\_\_\_\_

## 2. Name and address of receiving party(ies)

Name: 1. UHDE GMBH

Internal Address: \_\_\_\_\_

Street Address: FRIEDRICH-UHDE-STRASSE 15

City: DORTMUND

State: \_\_\_\_\_

Country: GERMANY Zip: 44141

Additional name(s) & address(es) attached? ☒ Yes ☐ No

## 4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

10/505,245

B. Patent No.(s)

12/23/2004 LLANDGRA 00000038 10505245

02 FC:8021

40.00 OP

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address to whom correspondence concerning document should be mailed:

Name: MARSHALL &amp; MELHORN, LLC

MARK A. HIXON

Internal Address: \_\_\_\_\_

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City: TOLEDO

State: OHIO Zip: 43604

Phone Number: (419) 249-7114

Fax Number: (419) 249-7151

Email Address: hixon@marshall-melhorn.com

## 6. Total number of applications and patents involved:

1

## 7. Total fee (37 CFR 1.21(h) &amp; 3.41) \$ 40.00

- ☐ Authorized to be charged by credit card
- ☒ Authorized to be charged to deposit account any additional fees due or credit overpayment
- ☒ Enclosed
- ☐ None required (government interest not affecting title)

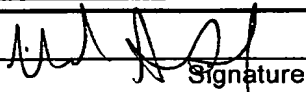
## 8. Payment Information

a. Credit Card Last 4 Numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_

b. Deposit Account Number 13-1816

Authorized User Name Marshall &amp; Melhorn, LLC

## 9. Signature:



Signature

12/15/04  
Date

MARK A. HIXON, REG. NO. 44,766

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

6

RECORDATION FORM COVER SHEET

Attorney Docket 1-16694

PATENTS ONLY

Recordation Cover Sheet 2 of 2

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

5. KLAUS KREJCI  
6. JOACHIM SCHUBERT  
7. HORST ERTL

Execution Date(s) 08/11/04; 08/30/04; 08/21/04

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Government Interest Assignment  
☐ Executive Order 9424, Confirmatory License  
☐ Other

2. Name and address of receiving party(ies)

Name: 2. VINNOLIT TECHNOLOGIE GMBH & CO. KG

Internal Address: \_\_\_\_\_

Street Address: WERK GENDORF

City: BURGKIRCHEN

State: \_\_\_\_\_

Country: GERMANY Zip: 84508

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

10/505,245

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: \_\_\_\_\_

Internal Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

6. Total number of applications and patents involved: \_\_\_\_\_

7. Total fee (37 CFR 1.21(h) & 3.41) \$ \_\_\_\_\_  
☐ Authorized to be charged by credit card  
☐ Authorized to be charged to deposit account  
☐ Enclosed  
☐ None required (government interest not affecting title)

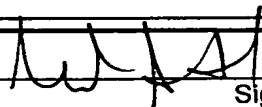
8. Payment Information

a. Credit Card Last 4 Numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_

b. Deposit Account Number \_\_\_\_\_

Authorized User Name \_\_\_\_\_

9. Signature:



Signature

MARK A. HIXON, REG. NO. 44,766

Name of Person Signing

12/15/04  
Date

Total number of pages including cover sheet, attachments, and documents: \_\_\_\_\_

**ASSIGNMENT OF INVENTION**

For: ☒ U.S. and/or ☐ Foreign Rights  
For: ☒ U.S. Application or  
By: ☒ Inventor(s) or ☐ Present Owner

In consideration of the payment by ASSIGNEES to ASSIGNORS of the sum of One Dollar (\$1.00) each, the receipt of which is hereby acknowledged, and for other good and valuable consideration,

**ASSIGNORS:**

Inventors or persons or entities who own the invention

Michael Benje  
Barkhausstrasse 6  
64289 Darmstadt  
Germany

Germany  
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Dieter Jaculi  
Kastanienweg 5  
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hereby sell, assign and transfer to

**ASSIGNEE(S):**

Uhde GmbH  
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44141 Dortmund  
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Germany  
Nationality

and

Vinnolit Technologie GmbH & Co. KG  
Werk Gendorf  
84508 Burgkirchen  
Germany

Germany  
Nationality

and the successors, assigns and legal representatives of the ASSIGNEES, each ASSIGNEE owning an undivided fifty ( 50 %) percent interest, their entire right, title and interest, for the United States and its territorial possessions, and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled

Method for Producing 1,2-Dichloroethane By Direct Chlorination

Names of inventors Michael Benji, Dieter Jaculi, Ingolf Mielke, Peter Schwarzmaier,  
Klaus Krejci, Joachim Schubert and Horst ERTL

which is found in

☐ U.S. patent application executed on even date herewith;

☒ U.S. patent application no. 10/505,245 filed on August 20, 2004



and which is a filing under 35 USC 371 of PCT International Application No. PCT/EP03/01000 filed 01 February 2003.

- ☒ To comply with 37 CFR 3.21 for recordal of this assignment, We, the Assignor(s) signing below, hereby authorize and request my/our attorney to insert the filing date and application number when they become known.

and any legal equivalent thereof in a foreign country, including the right to claim priority, and in and to, all Letters Patent to be obtained for said invention by the above application, for the United States of America and its territorial possessions any other foreign country or countries that may be granted to them therefor, and any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof;

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNORS further covenant that ASSIGNEES will, upon its/their request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEES or its/their legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

ASSIGNORS

Date: x 15.9.04

x Michael Benje  
MICHAEL BENJE

Date: x 23.08.04

x Dieter Jaculi  
DIETER JACULI

Date: x 2.9.04

x Ingolf Mielke  
INGOLF MIELKE

Date: x 11.08.04

x Peter Schwarzmaier  
PETER SCHWARZMAIER

Date: x 11.08.04

x Klaus Krejci  
KLAUS KREJCI

Date: x 30.08.04

x Joachim Schubert  
JOACHIM SCHUBERT

Date: x 21.08.04

x Horst Ertl  
HORST ERTL

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NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 U.S.C. 261.